

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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RAMON ANTONIO DUARTE-CERI,

Petitioner ,

v.

ORDER  
07-CV-500A

JANET NAPOLITANO, Secretary,  
Dept. of Homeland Security,

Respondent.

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The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On June 3, 2009, Magistrate Judge Foschio filed a Report and Recommendation, recommending that the petition for a writ of habeas corpus be dismissed.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, the petition for a writ of habeas corpus is dismissed.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: June 23, 2009